

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

June 11, 2004

IN RE:

COMPLAINT OF MCIMETRO ACCESS
TRANSMISSION SERVICES, LLC AND BROOKS FIBER
COMMUNICATIONS OF TENNESSEE, INC. AGAINST
BELLSOUTH TELECOMMUNICATIONS, INC. FOR
OVERCHARGING OF HIGH CAPACITY CIRCUITS

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DOCKET NO.
03-00145

ORDER ACCEPTING VOLUNTARY DISMISSAL OF COMPLAINT

This case is before the Hearing Officer pursuant to the *Voluntary Dismissal with Prejudice* filed by MCImetro Access Transmission Services, LLC and Brooks Fiber Communications of Tennessee, Inc. (collectively "MCI") on June 1, 2004.

MCI filed a complaint against BellSouth Telecommunications, Inc. in this Docket on February 19, 2003. On July 30, 2003, the Parties informed the TRA that a Settlement Agreement had been reached in resolution of all issues raised in the complaint, subject to the approval of the federal court overseeing MCI's bankruptcy proceedings.¹ Since that time, the proceedings in this Docket have been stayed, awaiting MCI's emergence from bankruptcy and a voluntary dismissal of the complaint by MCI.²

Because the issues raised in MCI's complaint have now been resolved and pursuant to MCI's *Voluntary Dismissal with Prejudice*,

¹ See *Joint Motion for Stay of Proceedings* (July 30, 2003).

² See *Order Granting Joint Motion for Stay of Proceedings* (August 7, 2003)

IT IS THEREFORE ORDERED THAT:

1. The TRA accepts MCI's *Voluntary Dismissal with Prejudice*, in final resolution of all issues raised in its complaint.
2. MCI's complaint against BellSouth filed with the TRA on February 19, 2003 is hereby dismissed with prejudice.
3. This Docket is now closed.



Kim Beals, Hearing Officer